

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Nov 12, 2024**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Byron Thomas Ginn

Case Number: 0980 2:19CR00033-TOR-1

Address of Offender: [REDACTED], Airway Heights, Washington 99001

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: May 16, 2022

Original Offense: Theft of Government Property, 18 U.S.C. § 641

Original Sentence: Probation - 60 months

Type of Supervision: Probation

Asst. U.S. Attorney: Ann Wick

Date Supervision Commenced: May 16, 2022

Defense Attorney: Andrea George

Date Supervision Expires: May 15, 2027

PETITIONING THE COURT

To issue a **warrant** and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 09/10/2024.

On May 20, 2022, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Ginn, as outlined in the judgement and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Standard Condition #4: You must be truthful when responding to the questions asked by the probation officer.

Supporting Evidence: On November 9, 2024, Byron Ginn allegedly violated standard condition number 4 by failing to be truthful when responding to the questions asked by the assigned probation officer.

On the morning of November 9, 2024, at approximately 9 a.m., the undersigned contacted Mr. Ginn. The offender was informed that this officer would be conducting an unscheduled home visit of his residence that morning, and he was asked about his whereabouts. Mr. Ginn claimed he was fishing at Grand Coulee Dam, and thus needed to be “dropped off at the marina,” so he would not be available to meet at his residence until 12 p.m.

The undersigned officer noted the absence of any background noise, which is not typical when one is on a boat fishing with friends, so Mr. Ginn was informed we would need to conduct a virtual visit in order to verify that he was in fact fishing. This officer attempted to FaceTime with the offender three times, but all three calls were canceled.

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The undersigned subsequently instructed the offender to send a photo of himself on the boat, holding up four fingers with his palm to the camera, but he failed to do so. When probed further, Mr. Ginn ultimately admitted he was not fishing at Grand Coulee Dam; he then claimed he was in Spokane Valley, Washington.

- 4 **Standard Condition #5:** You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 calendar days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

Supporting Evidence: On or about November 9, 2024, Byron Ginn allegedly violated standard condition number 5 by failing to report a change in his living arrangement at least 10 calendar days prior to the change.

On November 9, 2024, the offender claimed he had stayed at the Ramada Inn, in Spokane Valley, the night before. When notified that this officer would need to see his reservation confirmation and receipt for the hotel, Mr. Ginn later stated he had been staying at the hotel “for the last week” because it is closer to his place of employment. It should although be noted, the offender failed to notify the U.S. Probation Office that he would be staying somewhere other than the approved address on file.

When confronted about his failure to report a change in his living arrangement, the offender claimed he did not believe he had to report a change if he was still living within Spokane County.

- 5 **Standard Condition #3:** You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.

Supporting Evidence: On or about November 8, 2024, Byron Ginn allegedly violated standard condition number 3 by leaving his assigned federal judicial district without requesting or receiving authorization.

On the morning of November 9, 2024, after initially being dishonest about his whereabouts, Mr. Ginn advised this officer that his girlfriend had picked him up in Spokane, Washington, on November 8, 2024, then drove him to Coeur d’Alene, Idaho, where he spent the night at her residence.

Shortly thereafter, on November 9, 2024, the undersigned made contact with the offender at Aspen Sound, in Coeur d’Alene, Idaho.

It should be noted, Mr. Ginn did not request or receive authorization to travel to Idaho on November 8, 2024. When confronted about that fact, the offender stated he did not request authorization because his other requests to travel while pending revocation had been denied.

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The U.S. Probation Office respectfully recommends the Court to issue a **warrant** and incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/12/2024

s/Amber M.K. Andrade

Amber M.K. Andrade

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

November 12, 2024

Date